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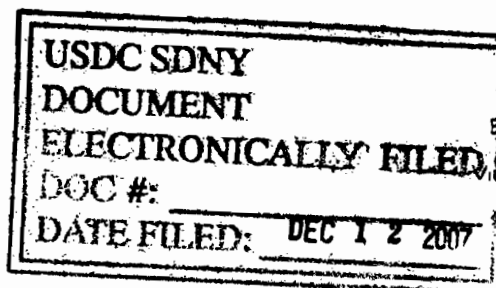
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December 7, 2007

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ALSO ADMITTED TO DISTRICT OF
COLUMBIA, MAINE & NEW JERSEY
*ALSO ADMITTED TO PENNSYLVANIA
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Honorable Laura Taylor Swain, U.S.D.J.
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: Nippon Yusen Kaisha v. Fresh West Exchange
07 CIV 7839 (LTS) (S.D.N.Y.)
Our Ref. No.: 8958/PMK

Your Honor:


We are the attorneys for plaintiff in the above captioned matter which is an admiralty action brought to recover unpaid ocean freight charges. At our request, the Court has issued process of maritime attachment and garnishment of which we have been making daily service on garnishee banks in an attempt to attach assets. To date we have been unsuccessful in doing so. The action was filed September 5, 2007. With the Court's permission, if at the expiration of 120 days from commencement, we have had no success in locating attachable assets, we will evaluate whether it is worth continuing the action and provide a status report to Your Honor. Under the circumstances we ask that the initial pretrial conference be adjourned sine die.

*The initial pretrial conference is adjourned
to February 22, 2008, at 10:30AM*

Respectfully,
CICHANOWICZ, CALLAN, KEANE,
VENGROW & TEXTOR, LLP

Joseph De May, Jr. [JD-9105]

SO ORDERED.


12/11/2007
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE